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## FISCAL IMPACT REPORT

SPONSOR Tsosie DATE TYPED 03/11/05 HB \_\_\_\_\_

SHORT TITLE Navajo Nation Criminal Justice Construction SB SJM 84/SF1#1

ANALYST Weber

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Indian Affairs

### SUMMARY

Synopsis of SFL#1 Amendment

Senate Floor Amendment One makes minor changes and clarifications that do not change the substance of the memorial.

Synopsis of Original Bill

Senate Joint Memorial 84 (SJM 84) urges the U.S. Congress to provide thirty-five million seven hundred thousand dollars (\$35,700,000) for new corrections facilities at Shiprock, Crownpoint and Ramah. It further directs that the New Mexico delegation be made aware of the importance of improving correction facilities and programs on the Navajo Nation.

Significant Issues:

The Indian Affairs Department contributed the following.

The Navajo Division of Public Safety has over 700 employees who provide services in the following areas: law enforcement, criminal investigation, corrections, highway safety, and fire and rescue. Eighty-six percent (86%) of Division funds are from external sources such as federal

funding, while fourteen percent (14%) of division funds are from Navajo Nation general funds.

According to the Navajo Nation Division of Public Safety statistics, Navajo Nation law enforcement makes over 38,000 arrests annually, nearly 1,000 of which are major crimes, yet Navajo Nation detention facilities have bed space for only 103 inmates. Navajo Nation detention facilities have consistently operated at more than sixty percent (60%) above capacity. Due to limited detention facilities, the Navajo Nation criminal justice system is forced to release less serious criminal offenders back into communities in order to create more space for serious offenders.

In 2003, Congress approved a priority list of tribal detention facilities to be funded throughout Indian Country. According to this funding priority list, Navajo Nation would be funded for one detention facility in Crownpoint (ranked 9<sup>th</sup>) and another detention facility in Shiprock (ranked 11<sup>th</sup>). However, since FY 2003, federal funds have not been appropriated to construct these new detention facilities in Navajo Nation. As a result of lack of federal funding, Navajo Nation's public safety needs remain unmet.

**MW/lg:yr**